



General Assembly

Amendment

February Session, 2004

LCO No. 4547

SB0002704547HDO

Offered by:

REP. ROY, 119th Dist.

REP. STONE, 134th Dist.

To: Subst. Senate Bill No. 27

File No. 545

Cal. No. 512

(As Amended By Senate Amendment Schedule "A")

**"AN ACT CONCERNING EFFICIENCIES OF THE DEPARTMENT
OF MOTOR VEHICLES."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective October 1, 2004*) (a) For the purposes of
4 this section:

5 (1) "Hands-free mobile telephone" means a mobile telephone with
6 speakerphone capability or an attachment, add-on component or other
7 additional equipment, whether or not permanently installed, that
8 when used allows the operator of a motor vehicle to maintain both
9 hands on the steering device of such motor vehicle;

10 (2) "Mobile electronic device" means any hand-held or other
11 portable electronic equipment capable of performing personal
12 computer functions, sending or receiving electronic mail, playing

13 video games or digital video disks, or taking or transmitting digital
14 photographs, or any combination thereof, but does not include any
15 audio equipment or any equipment installed in a motor vehicle for the
16 purpose of providing navigation, emergency or other assistance to the
17 operator of such motor vehicle or video entertainment to the
18 passengers of such motor vehicle; and

19 (3) "Mobile telephone" includes, but is not limited to, any cellular,
20 analog, wireless or digital telephone capable of sending or receiving
21 telephone communications without an access line for service.

22 (b) On or after January 1, 2005, no person shall use a mobile
23 telephone while operating a motor vehicle on a public highway or
24 private road unless such person is: (1) Using a hands-free mobile
25 telephone in a mode that allows such person to maintain both hands
26 on the steering device of such motor vehicle, except that this
27 subdivision shall not apply to any holder of a learner's permit or any
28 holder of a motor vehicle operator's license subject to the requirements
29 of section 16 of public act 03-171, as amended; (2) operating such motor
30 vehicle alone and reasonably fears for such person's safety or
31 reasonably believes that a criminal act may be perpetrated against such
32 person; (3) using such mobile telephone to contact an emergency 9-1-1
33 system to report what such person reasonably believes to be an
34 emergency or the commission of a crime or motor vehicle violation; (4)
35 operating a school bus with passengers and is using such mobile
36 telephone to call for assistance in the case of a mechanical breakdown
37 or an emergency that endangers such person or passengers; or (5) a
38 peace officer, as defined in subdivision (9) of section 53a-3 of the
39 general statutes, a firefighter or an operator of an ambulance,
40 authorized emergency vehicle, as defined in subdivision (4) of
41 subsection (a) of section 14-1 of the general statutes, bus, school bus
42 without passengers, taxi cab or tow truck who uses such mobile
43 telephone while acting in the performance of his or her duties and
44 within the scope of his or her employment.

45 (c) On or after January 1, 2005, no person shall use a mobile

46 electronic device to perform any personal computer function, send or
47 receive any electronic mail, play any video game or digital video disk,
48 or take or transmit any digital photograph while operating a motor
49 vehicle on a public highway or private road.

50 (d) Nothing in subsection (b) or (c) of this section shall be construed
51 to prohibit any passenger in a motor vehicle, other than the operator of
52 such motor vehicle, from using a mobile telephone or a mobile
53 electronic device while the motor vehicle is being operated on a public
54 highway or private road.

55 (e) Any law enforcement officer who issues a summons for a
56 violation of subsection (b) or (c) of this section shall record, on any
57 summons form issued in connection with the matter, the specific
58 nature of any distracted driving behavior observed by such officer that
59 contributed to the issuance of such summons.

60 (f) Any person who violates subsection (b) or (c) of this section shall,
61 for a first violation, have committed an infraction and be fined not
62 more than seventy-five dollars, for a second violation, be fined not
63 more than one hundred fifty dollars and, for a third or subsequent
64 violation, be fined not more than two hundred fifty dollars."